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Attorneys for Plaintiff GARY RICHARD LAWMAN  
by and through his Guardian ad Litem Richard de Villiers

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

GARY RICHARD LAWMAN by and  
through his Guardian ad Litem Richard de  
Villiers,

Plaintiff,

v.

CITY AND COUNTY OF SAN  
FRANCISCO; PHILLIP M. GORDON;  
GLEN PAUL MINIOZA; BRIAN W.  
KNEUKER; CARLOS GUTIERREZ;  
CRAIG F. TOM; PATRICK F. PENE;  
JULIO C. PALENCIA; ANDREW N.  
BROWN; PAUL E. RAPICAVOLI;  
MATTHEW M. O'SHEA; MICHAEL  
HENNESSEY; GREG SUHR; ROEL L.  
LAPITAN; FRANK LATKO a.k.a.  
FRANZI LATKO; and DOES 1 through  
50, inclusive,

Defendants.

CASE NO. C15-01202-DMR

**JOINT PROPOSED CASE SCHEDULE  
AND ~~PROPOSED~~ ORDER (AS MODIFIED)**

Action Filed: December 31, 2013  
Removal: March 13, 2015  
Trial Date: June 6, 2016

1 The Parties, through their respective undersigned counsel, submit the following proposed  
2 case schedule in order to supplement the schedule set forth in the minutes of the July 1, 2015  
3 case management conference (Dkt. No. 17). The Parties seek a case management order in  
4 accordance with the following:

5 1. The Parties agree to bifurcate liability and damages for purposes of discovery,  
6 such that discovery related to damages will be stayed until January 4, 2016, or until the Court  
7 rules on any motion for summary judgment regarding liability issues, whichever is sooner,  
8 except as otherwise set forth below.

9 2. If a witness who has been deposed on issues related to liability is sought to be  
10 deposed on issues related to damages, the parties agree to make such witness available, to the  
11 extent possible, for such further deposition during the second phase of the case.

12 3. The Parties may begin serving interrogatories, requests for admission, requests for  
13 production of documents, and subpoenas duces tecum related to damages on November 5, 2015.

14 4. Plaintiff agrees in principle to make himself available for one physical  
15 examination, one mental examination, and one neuropsychological examination by defense-  
16 retained doctors in January 2016, assuming the Court orders Plaintiff to attend such exams,  
17 pursuant to Fed. R. Civ. Proc. 35, for good cause shown; however, Plaintiff expressly reserves  
18 any and all rights to assert available objections, oppositions, qualifications, or limitations related  
19 to the conduct of the examinations, including but not limited to the identity and qualification of  
20 the examiner and scope, duration, and battery of tests given at any examination.

21 5. The last day to file a summary judgment motion on liability issues is November 5,  
22 2015.

23 6. The last day for the hearing on a summary judgment motion on liability issues is  
24 December 10, 2015.

25 7. The Parties request that the case be submitted to a settlement conference with a  
26 magistrate judge the week of January 4, 2016, or after the Court rules on any motion for  
27 summary judgment on liability issues, whichever is later.

28 8. Fact discovery to close February 26, 2016.

9. Expert witness disclosures must be served no later than March 8, 2016.

10. Expert discovery to close April 29, 2016.

Dated: July 22, 2015

LAW OFFICE OF JOSEPH S. MAY  
and  
BRENT, FIOL & PRATT, LLP

*/s/ Joseph S. May*

By: JOSEPH S. MAY, Attorneys for Plaintiff  
GARY RICHARD LAWMAN

Dated: July 22, 2015

DENNIS J. HERRERA  
City Attorney  
CHERYL ADAMS  
Chief Trial Deputy  
JAMES F. HANNAWALT  
Deputy City Attorney

*/s/ James F. Hannawalt\**

By: \_\_\_\_\_  
JAMES F. HANNAWALT  
Attorneys for Defendants

\*Pursuant to Civil Local Rule 5-1(i)(3), the filer of  
this document attests that concurrence has been  
obtained from each of the other Signatories to this  
document.

**~~[PROPOSED]~~ ORDER (AS MODIFIED)**

Pursuant to the foregoing stipulation, it is hereby ordered:

1. The issues of liability and damages shall be bifurcated for purposes of discovery;  
discovery related to damages will be stayed until January 4, 2016, or until the Court rules on any  
motion for summary judgment regarding liability issues, whichever is sooner, except as  
otherwise set forth below.

2. If a witness who has been deposed on issues related to liability is sought to be deposed on issues related to damages, the parties shall make such witness available, to the extent possible, for such further deposition during the second phase of the case.

3. The Parties may begin serving interrogatories, requests for admission, requests for production of documents, and subpoenas duces tecum related to damages on November 5, 2015.

4. Plaintiff shall make himself generally available for one physical examination, one mental examination, and one neuropsychological examination by defense-retained doctors in January 2016, assuming the Court orders Plaintiff to attend such exams, pursuant to Fed. R. Civ. Proc. 35, for good cause shown; however, Plaintiff may assert available objections, oppositions, qualifications, or limitations related to the conduct of the examinations, including but not limited to the identity and qualification of the examiner and scope, duration, and battery of tests given at any examination.

Matters re Nos. 5-10 are covered in the CMC & Pretrial Order. See CMC & Pretrial Order [Doc. 20].

~~5. The last day to file any summary judgment motion on liability issues is November 5, 2015.~~

~~6. The last day for the hearing on any summary judgment motion on liability issues is December 10, 2015.~~

~~7. The case shall be submitted to a settlement conference with a magistrate judge the week of January 4, 2016, or after the Court rules on any motion for summary judgment on liability issues, whichever is later.~~

~~8. Fact discovery shall close February 26, 2016.~~

~~9. Expert witness disclosures must be served no later than March 8, 2016.~~

~~10. Expert discovery shall close April 29, 2016.~~

IT IS SO ORDERED.

Dated: 7/29/2015

